



U.S. Department of Justice

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January 15, 2021

BY ECF

Honorable Gregory H. Woods
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *City of Syracuse, et al. v. Bureau of Alcohol, Tobacco, Firearms
and Explosives, et al.*, 20-CV-06885-GHW

Dear Judge Woods:

This Office represents Defendants in the above-captioned action. Defendants write to respectfully request a one-week extension of time to submit their cross-motion for summary judgment. This is Defendants' second request for an extension.¹

On December 16, 2020, the Court granted Defendants' initial request for an extension and set the following deadlines: (1) Defendants' opposition to Plaintiffs' motion for summary judgment (and its cross-motion) to be filed by January 22; (2) Plaintiffs' reply to be filed by February 19; and (3) Defendants' reply to be filed by March 5. *See* Dkt. No. 69.

On January 2, 2021, the Court denied a proposed intervenor's motion for intervention, but noted that the entity could file an amicus brief by January 15, 2021. *See* Dkt. No. 83. On January 8, 2021, the proposed intervenor requested an extension of time to file its amicus brief until January 29, 2021, which the Court granted. *See* Dkt. No. 85. In granting that extension of time, the Court also altered the above-noted briefing schedule. Specifically, it provided Plaintiffs until February 26 to file their reply and it provided Defendants until March 12 to file their reply.

Defendants respectfully request that they be provided until January 29 to file their cross-motion for summary judgment. In light of the extension granted *sua sponte* by the Court with

¹ Plaintiffs have conditioned their consent to this request on Defendants not seeking an extension of time with respect to their reply brief. However, without having seen the brief to which they will be replying, Defendants cannot commit to this proposal. Additionally, Polymer80, an entity implicated (and specifically named) in the complaint, has moved to intervene in this action. *See* Dkt. No. 78. That motion for intervention will be fully briefed on January 29, 2021. *See* Dkt. No. 82. This potential intervention and any resulting ramifications on this action is another reason Defendants cannot make such a representation at this time.

Page 2 of 2

respect to the other briefing deadlines, this extension would not alter the completion of briefing in this matter. Defendants have been working diligently to complete the briefing, but require one additional week to complete this process. Additionally, this time is needed in order to receive necessary client review from agencies located in Washington, D.C. In light of the federal holiday next week for all federal employees as well as federal employees in D.C. receiving a holiday for Inauguration Day, Defendants also request this extension in order to ensure sufficient time for review by the agencies named in this action.

I thank the Court for its attention to this matter.

Sincerely,

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